



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/723,138

11/25/2003

Kevin Li

944-015.003

9453

4955

7590

07/16/2008

WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP

BRADFORD GREEN, BUILDING 5

755 MAIN STREET, P O BOX 224

MONROE, CT 06468

EXAMINER

ADDY, ANTHONY S

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

07/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory ACTION**

***Response to Arguments***

1. Applicant's arguments filed on June 16, 2008 have been fully considered but they are not persuasive.

In response to applicant's argument that "Leinonen at least fails to disclose or suggest a control component configured to determine whether a received signal comprises signals in a second frequency band, and that the second antenna is configured for reception of signals in the second frequency band when the control component determines that the received signal comprises signals in the second frequency band (see page 7, second paragraph and page 8, third paragraph of the response)," examiner respectfully agrees with Applicants' argument that "Leinonen fails to explicitly teach a control component configured to determine whether a received signal comprises signals in a second frequency band, and that the second antenna is configured for reception of signals in the second frequency band when the control component determines that the received signal comprises signals in the second frequency band", however, examiner maintains that it is because of this fact that Leinonen is cited as the primary reference in the U.S.C. 103(a) rejections, since Leinonen provides enough teaching to render the above limitations obvious. For example, Leinonen teaches a first antenna (*antenna 12*) that facilitates reception of signals in at least a first frequency band (*e.g., GSM-850*); and a second antenna (*antenna 13*) that facilitates reception of signals in a second frequency band (*i.e., WCDMA-1900*) (see p. 4 [0057], p. 5 [0062] and Figs. 1c & 5). According to Leinonen,

Art Unit: 2617

a digital signal processor 94 (*i.e.*, *reads on a control component*) provides a control signal to a switch 34, and the switch 34 under the received control signal conveys signals received by the antenna 13 in the second frequency band (*i.e.*, *WCDMA-1900*) to the WCDMA-1900 receiver 54 (see p. 5 [0062, lines 33-46] and Fig. 5). Furthermore, in response to applicant's argument that Leinonen merely teaches providing a signal which indicates which mode the system is operating in is entirely distinct from determining whether a received signal comprises signals in a particular frequency band (see page 8, second paragraph of the response), examiner respectfully disagrees and further asserts that indicating the mode a system is operating in a particular frequency band clearly provides a strong indication of determining whether a received signal comprises signals in a particular band, since the mode (e.g., WCDMA-1900 mode) shows the frequency band (*i.e.*, WCDMA-1900) that can be received.

In view of the above, the 35 U.S.C. 103(a) rejections using Leinonen with regard to **claims 1-10** and **12-26** are proper and are maintained.

/Anthony S Addy/

Examiner, Art Unit 2617